

ORAL ARGUMENT NOT YET SCHEDULED

No. 15-1289

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

| | | |
|----------------------------|---|-----------------|
| NATIONAL LABOR RELATIONS | : | |
| BOARD, | : | |
| | : | |
| Petitioner, | : | |
| | : | NLRB 05CB114849 |
| v. | : | NLRB 05CB112215 |
| | : | |
| NATIONAL UNION UNITED | : | |
| SECURITY & POLICE OFFICERS | : | |
| OF AMERICA, | : | |
| | : | |
| Respondent. | : | |

USPOA’S MOTION TO EXTEND THE BRIEFING DEADLINE

The USPOA, by and through its counsel, respectfully requests an extension of the time in which to submit the Respondent’s Brief and as grounds, the USPOA states the following:

1. On May 12, 2016, the Court granted a consent motion to extend the briefing deadlines in the above-styled matter. Respondent, USPOA, was to file its brief on May 16, 2016.

2. On May 10, 2016, the USPOA's President, Assane Faye, unexpectedly resigned from his position as President. Mr. Faye was the point of contact and authorized representative concerning settlement and other matters impacting the above-styled case.

3. Prior to Mr. Faye's resignation, the Parties and mediators agreed that the deadline in which to file briefs should be extended beyond May 16, 2016 in order to facilitate additional settlement discussions. The Parties and mediators continued to believe that resolution of this matter was feasible. The Petitioner simply required additional information in order to make determinations as to a final offer of compromise.

4. The USPOA is a small, but active union and Mr. Faye's resignation was disruptive to its operations. The USPOA Board members must reorganize operations and responsibilities and in so doing, handle the most urgent matters impacting the membership. The USPOA Board has not had the opportunity to provide the information desired by the NLRB or materially participate in continued settlement discussions.

5. In order to facilitate continued discussions and perhaps ultimate resolution, the USPOA Board requires additional time to organize and to get "up to speed" on the current status of settlement discussions. Although this is the fourth

such motion, the USPOA Board believes that settlement will be achieved.

6. The USPOA Board apologizes for any inconvenience to the Petitioner, mediators and Court. Although the NLRB initially agreed to extending the briefing period beyond May 16, 2016, it filed a motion for default after the May 16, 2016 deadline passed and no longer consents to the relief requested.

For the reasons stated, USPOA respectfully requests an extension of 60 days or up to July 15, 2016 to file its principal brief.

Respectfully submitted:

June 9, 2016

/s/Eden Brown Gaines

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CERTIFICATE OF SERVICE

I do hereby certify that a copy of Consent Motion to Extend Briefing Deadline was served via the Electronic Case Filing System this 9th day of June, 2016 upon the following:

Linda Dreeben
David Seid
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

/s/ Eden Brown Gaines_____
Eden Brown Gaines